

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SHANGHAI UNIVERSAL, EQUIPMENT CO., LTD,	:	CIVIL ACTION NO. 1:12-CV-2347
	:	
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
JLG INDUSTRIES, INC.,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 14th day of February, 2013, upon consideration of the motion to dismiss (Doc. 9) filed on January 28, 2013, by defendant JLG Industries, Inc., and upon further consideration of the amended complaint (Doc. 15) filed on February 14, 2013, pursuant to Federal Rule of Civil Procedure 15(a)(1), see FED. R. CIV. P. 15(a)(1) (allowing a party to amend its pleading once as a matter of course within 21 days after service of a motion under Rule 12(b)), and the court finding that an amended complaint renders the original complaint a legal nullity, see Snyder v. Pascack Valley Hosp., 303 F.3d 271, 276 (3d Cir. 2002) (“An amended complaint supercedes the original version in providing the blueprint for the future course of the lawsuit.”); 6 CHARLES ALAN WRIGHT ET AL., FEDERAL PRACTICE AND PROCEDURE § 1476 (2d ed. 1990) (“Once an amended pleading is interposed, the original pleading no longer performs any function in the case”), it is hereby ORDERED that:

1. Defendants shall respond to the amended complaint (Doc. 15) in accordance with the Federal Rules of Civil Procedure.

2. The motion (Docs. 9) to dismiss the complaint is DENIED as moot without prejudice.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge